

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION NO.49 OF 2024

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Crimeophobia – A Criminology Firm
Through its founder –
Criminologist Snehil Dhall

..... Petitioner

Versus

Ministry of Animal Husbandry
and Dairy Development and Ors.

..... Respondents

Mr. Snehil Dhall, petitioner in-person

Mr. Abhahy L. Patki, Additional Government Pleader for
respondent Nos.1, 2 and 3 – State

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
AMIT BORKAR, J.**

**RESERVED ON : AUGUST 14, 2024
PRONOUNCED ON : AUGUST 19, 2024**

JUDGMENT (PER : CHIEF JUSTICE)

1. Heard Mr. Snehil Dhall, the petitioner in-person and
Mr. Abhay L. Patki, learned State Counsel.

2. This petition, filed ostensibly in public interest, is an
example of how sometimes, on account of multiple and omnibus
prayers made without any factual or legal basis, judicial time is

consumed in hearing frivolous matters which can otherwise be utilized in disposing of genuine matters which require more attention of the court.

3. The PIL petition has been filed by a self-styled Criminology Firm through its founder who is allegedly a Criminologist, named Mr. Snehil Dhall. In the opening paragraph of the Synopsis presented in this petition, the petitioner states that the petition should be considered as an expert opinion in terms of Section 45 of the Evidence Act, as the founder of the petitioner firm is a qualified criminologist/crime expert who urges to the Court for issuing directions for establishing an Anti-Organized Crime Unit within the framework of Maharashtra Control of Organized Crime Act (MCOCA) and United Nations Transnational Organized Crime (UNTOC).

4. While opening the submission, the founder of the petitioner – firm Mr. Snehil Dhall stated that the petition be treated as his opinion for issuing various directions as prayed for in the PIL petition. The petition contains 11 prayers along with 13 interim prayers. The prayer clause of the PIL petition is extracted hereinbelow:

"18) PRAYER

In light of the facts and circumstances stated above, the petitioner respectfully prays that this Hon'ble Court may graciously be pleased to:

a) This Hon'ble Court be pleased to issue the writ of mandamus or any other appropriate writs, orders and directions to the Respondents for constitution of an "Anti-Organised Crime Unit" within MCOCA (1999) framework to handle regional, national, and transnational organized crime in accordance with UNTOC (2000) protocols and against Crimes which hasn't been defined in any law.

b) This Hon'ble Court be pleased to issue appropriate writs, orders and directions for constitution to cancel/revoke all leases and/or allotments of property within Aarey Milk Colony especially of Aarey Milk Factory and its CEO office, Royal Palms (India) Private Limited and other establishments who have sub-leased within the Green/ Environment/ Tourist/ Forest/ No Development Zone that falls within the circuit of Cave Temple Colonies boundaries, also referred to as 'Shatshashthi' (Island of Salsette), with immediate effect, as the purposes for which the land was allotted have not been adhered to. All categories of Licenses/Permits for Hotels and others shall also be revoked with immediate effect. Exceptions shall be granted only the Government Security Forces, Metro and those establishments which has no connect with the operations of Aarey Milk Factory/Colony.

c) This Hon'ble Court be pleased to issue appropriate writs and orders for the immediate shutdown of the "UNICEF Aided Dairy Teaching" institute/office within Aarey And replaced with an "Anti-Organised Crime Unit" and/or UNTOC office to tackle these crimes, in accordance with the requirements of the 20th century. Additionally, detailed medical reports should be provided by UNICEF and New Zealand regarding the use of 100% buffalo dried milk imported from New Zealand, which was mixed with water and distributed to children and families in Mumbai. The report should confirm the methodology, experiments, and provide an affidavit that the referred powder was not any illegal drug, and explain the disappearance of indigenous cow milk post-experimental units.

d) This Hon'ble Court be pleased to issue appropriate writs, orders and directions to Respondent No. 1 and Respondent No. 3 for establishing the 4000-acre Cow Farms with immediate effect for milking and dried cows within Aarey and other locations of Maharashtra State, along with the Cow Experimental Unit with modern technology of 20th Century, to establish nutritious milk and revive indigenous cow breeds. A report on this matter should be submitted within a timeline designated by this Hon'ble Court, in line with 19th-century activities.

e) *This Hon'ble Court be pleased to issue appropriate writs, orders and directions to Respondent No. 7 for constitution the "Bombay Cave Temple Commission" under the Military Department for handling/ managing/ administrating all Cave Temples & Colonies that was formed as per the jurisdiction of the then Bombay Presidency, now the State of Maharashtra, in line with 18th-century activities. The Commission shall also be the nodal agency for initiating 'Cave Temple Commission' for India and other countries under the Military Department and/or independent body.*

f) *This Hon'ble Court be pleased to issue appropriate writs, orders and directions to Respondent No. 2 for constitution of "Transnational Sanatan Commission" from Asiatic Society (Bombay) to protect all Cave-Temples, Cave-Colonies, ancient rock stone-made Temples, all other religious or Hindu properties/ lands/ infrastructure/ resource/ books/ journals/ reports including underwater which belongs to the sentiments or references of Ancient or Current Hindu Civilizations in India and other countries being an appropriate replica beyond the Laws/Acts/Powers/ Authorities granted to "Waqf Board" as applicable due to Hindu having Vedic Era ancient civilization and Commission structure from 18th Century.*

g) *This Hon'ble Court be pleased to issue appropriate writs, orders, and directions to grant the Petitioner the costs of this application and further expenses incurred for research and development (R&D) from the State of Maharashtra for the procurement of ancient historic books from foreign libraries that were destroyed in the Asiatic Society.*

h) *This Hon'ble Court be pleased to issue appropriate writs, orders and directions for preparing a Geographical Earth & Timeline Maps of Map#1 'Leopard Corridor'; Map #2 'Shatshashthi' (Island of Salsette) having all Cave Temple & Cave Colonies in control of various government departments with Mumbai City; and Map#3 overall Map of all Rock-Cut Cave Temples, Cave Colonies and Rock Stone made Temples in the entire State of Maharashtra with or without under the control of various Government Departments of Local/State/Central Authorities or encroaches (Property Grabbing Gangs/Nexus).*

i) *Pending the hearing and final disposal of the present Petition, this Hon'ble Court be pleased to:*

i. *Pass an Order to form a Special Investigating Team (SIT) to address the ongoing crimes reported in the petition since detailed information isn't available with the petitioner, and file FIRS against all culprits involved within Civil/Criminal laws as applicable under Local/State/Central Laws. In addition, the SIT shall also prepare a Report for initiating security measures for Urban-Forest Police Department to handle the complications of Human-Wildlife within Ancient-Modern Civilizations.*

ii. Pass an Order to restrain & revoke all powers/jurisdictions of Security Department under Aarey Milk Colony/Factory from all duties and handover the Security of the region to CRPF for protection of Ancient & Current Infrastructure regardless of overlapping jurisdiction and allow sole control of Law & Order for the Local Mumbai Police for all activities pertaining to their relevant powers.

iii. Pass an Order directing the Respondents to form a committee to draft appropriate proposal for reviving "Bombay Cave Temple Commission" and/or "Maharashtra Cave Temple Commission" and for setting up a Planning Committee for details mentioned in Prayer D.

iv. Pass an Order directing immediate allotment of 4000 Acres of Cow Farm land for Milking & Dried Cows within Aarey and/or the Forest Zone of Mumbai and other parts of Maharashtra as appropriately available.

v. Pass an Order for Respondents to search/procure all Historic data in Achieves of India and Foreign Libraries/Departments pertaining to historic data as applicable to the content of this Petition and otherwise.

vi. Pass an Order to revoke and restraining Respondent No. 1 from all powers as practices by the Aarey Milk Factory / Colony CEO or their other officials within the region.

vii. Pass an Order to revoke all licenses/permits/lease/sub-lease/etc categories of Alcohol, Hotel and other Licences of Royal Palms and restrict all kinds of Parties, Film Shootings in Villas/ Hotels/Roads (Private/Government)/Grounds since it falls within 'Leopard Corridors' and most of the illegal parties & film shootings are carried without following legal protocols. Exception shall be allowed for Film Shootings at Film City which is a dedicated Zone within the same locality.

viii. Pass an Order for all Electricity Companies i.e. MSEB, Adani and/or others serving within Aarey and Royal Palms to provide detailed list of their secured Mini Feeder Pillars and other list of residential/commercial/industrial and/or other categories of customers/suppliers with photo evidence, especially at locations which are used for Film Shooting purposes.

ix. Pass an Order for allowing all religious celebrations including Ganesh Utsav Pandal and Idol immersion be allowed in Aarey and its respective lakes.

x. Pass an Order for allowing residents of Royal Palms to utilize the water of Artificial Lake referred to as Royal Palms Lake under the control of Municipal Council.

xi. Pass an Order to establish the definition of a Women as per legal terms, particularly in reference to Human Trafficking/Smuggling since the definition also keeps changing at International Forum under its choice of gender orientation Human Rights which may affect Indian interest in unpredictable terms.

xii. Pass an Order for FIR against the encroachers of Marol Caves for demolition of Temple and attempting to claim the land as caretaker or other titles of the temple land and also against family living inside the Magathane Caves.

xiii. Pass an Order for appropriate Organised Crime Trainings Programs for Law Enforcement, Judicial Official and others.

i) This Hon'ble Court be pleased to issue appropriate writs, orders, and directions for Respondent No. 2 to allot a dedicated budget for regular Pujas, Aarti and other Hindu Rituals for all Cave Temples in which they shall also pay the salaries of Pandits (Priest) and other staff required for the Temples. The ASI shall thereafter also confirm which Cave Temples or Colonies are fit for allowing Gurukul (Vedic Education Center) for appropriate takeover by the 'Commission' once initiated.

j) This Hon'ble Court be pleased to issue appropriate writs, orders, and directions to initiate a Psychological Warfare Unit to address organized crime stemming from the manipulation of terminologies based on criminal psychological profiles. This unit will also divert certain public complaints to elite security forces when local or state authorities cannot interpret the organized crime within a reasonable timeframe.

k) Pass any other orders that this Hon'ble Court deems fit and proper in the interest of justice.

5. A perusal of the afore-quoted prayer clause of the PIL petition reveals that the prayers made are multiple in number and on different and diverse subjects which range from issuing a direction to the respondents for constituting Anti-Organized Crime Unit to cancel/revoke all leases and allotment of

properties within the Aarey Milk Colony, to issue a direction to shut UNICEF Aided Dairy Teaching Institute replacing it with Anti-Organized Crime Unit or Office of UNTOC to tackle these crimes in accordance with the requirements of 20th century. The petitioner also prays that a direction be issued to UNICEF and New Zealand to provide reports for use of 100% buffalo dried milk imported from New Zealand. The petitioner also seeks a prayer for issuing a direction for establishing 4000 acres Cow Farms in Arey Colony and other locations in the State of Maharashtra. The petitioner thereafter makes a prayer on another subject relating to constitution of 'Bombay Cave Temple Commission' under the Military for administering cave temples and colonies and also for initiating 'Cave Temple Commission'.

6. The prayers made in the PIL petition are not confined only to certain alleged issues relating to Arey Milk Colony but the petitioner also prays that a direction be issued for constitution of 'Transnational Sanatan Commission' for various purposes. Petition also demands from the Court to issue direction to pay the petitioner cost of the petition and also the payment of expenses incurred by the petitioner for research and development for procurement of alleged ancient historical books

from foreign libraries which, according to the petitioner, were destroyed in the Asiatic Society.

7. The petitioner also prays that a Special Investigating Team (SIT) be constituted to address the ongoing crimes as the relevant information is not available with the petitioner and to lodge FIR against those found erring. Another prayer made in the PIL petition is for issuing a direction restraining and revoking all powers of security department of Arey Colony/Factory and to handover the security of the region to the Central Reserve Police Force. It has also been prayed that a direction be issued to allow all religious celebrations including Ganesh Utsav Pandal and Idol immersion in Arey Colony and its lakes.

8. The petitioner goes on to make a prayer for issuing a direction to the State of Maharashtra to allot a dedicated budget for regular Pujas, Aarti and other Hindu Rituals for all temples in which State should also pay salaries of Pandits (Priests) and other staff required for the Temples. The PIL petition also contains a prayer for issuing a direction to initiate a 'Psychological Warfare Unit' to address organized crime stemming from the manipulation of terminologies based on

criminal psychological profiles.

9. From a perusal of the prayer clause of the PIL petition, what we find is that the prayers made are not only omnibus in nature but also are multiple in number, covering diverse subjects. Even the nature of the prayers made suggests that by filing this PIL petition, the petitioner aspires for imposition of his own ideas or results of his own alleged study, on the State through the process of the Court. It is not only that in the instant PIL petition multiple causes of action have been asserted but also that the petition clearly suffers from the legal vice of mis-joinder of causes of action.

10. We are also of the opinion that the subjects in relation to which the prayers have been made pertain to policy of the State, both administrative and legislative, which is the sole preserve of the State. Even otherwise, the prayers made are product of petitioner's figment of imagination and what the petitioner thinks proper, which do not have any legal basis.

11. The superior Courts, in our constitutional framework, are the protector of the fundamental rights and other legal rights,

constitutional, statutory or otherwise. A writ of mandamus is issued by the superior Courts where infringement of any legal right is established. No mandamus can be issued merely for enforcing a particular thought of an individual or an organization, if it is not supported by any legal premise. Prayers made in the PIL petition against the UNICEF (United Nations Organization) and New Zealand, cannot be entertained by the Court in exercise of its jurisdiction under Article 226 of the Constitution of India. The other prayers relating to establishment of 'Anti-Organized Crime Unit' or SIT or for establishing 'Transnational Sanatan Commission' or 'Maharashtra Cave Temple Commission' appear to be an outcome of fancies of the petitioner for the reason that no factual or legal basis, whatsoever, has been laid in the PIL petition.

12. We find ourselves at loss of words if we peruse the array of respondents where even the UNICEF, United Nations Office of Drugs and Crime, Consulate General of New Zealand, Chief of Defence Staff, Ministry of External Affairs and President of India's Office have been arrayed as respondents. Even the averments made in the PIL petition are full of fancies which according to the petitioner, are based on some research said to

have been conducted by him. The petitioner has even made a prayer for issuing a direction to grant the petitioner not only the cost of the PIL petition/application but also to pay him the expenses allegedly incurred in research and development and for procurement of ancient historic books from foreign libraries which are allegedly destroyed in the Asiatic Society.

13. Having devoted considerable time in hearing such pleas, we find it extremely difficult to comprehend and understand the very purpose of instituting these proceedings as a PIL petition. In our opinion, the petition is nothing but a sheer abuse of process of Court which not only deserves to be dismissed but also calls upon us to issue stern warning and even impose exemplary cost on the petitioner for having filed absolutely frivolous petition resulting in wastage of precious judicial time.

14. Resultantly, the writ petition is dismissed.

15. We caution the petitioner not to file any such plea without appropriately studying and acquainting himself with the legal frame-work in which petitions, specially PIL petitions, can be filed in this Court.

16. Though, as observed above, having regard to the manner in which this PIL petition has been filed, the petition warrants imposition of exemplary cost on the petitioner, however, since we have issued a word of caution to the petitioner to be very careful, we quantify the cost to be Rs.10,000/- (Rupees Ten Thousand Only) to be deposited by the petitioner within six weeks from today with the Prothonotary and Senior Master of the Court which shall be tendered in the accounts of Maharashtra State Legal Services Authority, failing which the cost shall be realized as arrears of land revenue.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)